

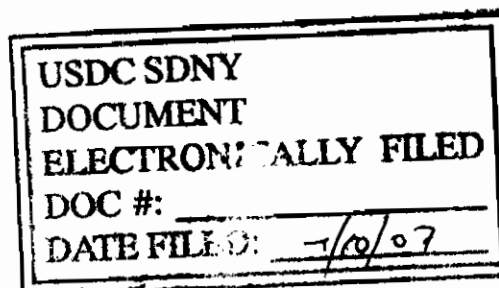
MEMO ENDORSED



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July 5, 2007

Via Facsimile (212)-805-7906
Hon. Denny Chin, United States District Judge
United States District Court
Southern District of New York
500 Pearl Street, Room 1020
New York, NY 10007



RE: Salvatore Gitto and Phyllis Gitto vs. A.W. Chesterton Co., Inc. et al.
Civil Action No. 07CV4771(DC)

Honorable Sir:

This office represents defendant Northrop Grumman Systems Corp. in the above referenced matter. We write at the advice of the Court's law secretary Josh Hsu, Esq. regarding obtaining an extension of time to address plaintiff's pending Motion for Remand.

Northrop Grumman is a Federal defense contractor who was belatedly served with notice of this action. Plaintiff apparently alleges that he believes he may have been exposed to asbestos while working for the United States Navy in buildings that were owned either by the United States Navy and/or by Northrop Grumman but occupied by the United States Navy during plaintiff's employment.

Defendant Northrop Grumman Systems Corp. on May 25, 2007 first received an Amended Complaint dated May 17, 2007 and was simultaneously noticed for a continued deposition of plaintiff dated June 7, 2007. Northrop Grumman appeared for this examination as well as plaintiff's De Bene Esse deposition held over objection, the same day. During the examination plaintiff produced three original volumes of binders that presumably have bearing on plaintiff's case as to this defendant but, to date have not been produced to this office.

Significantly, plaintiff had not advised either prior to, or at, the June 7, 2007 depositions that the matter had been removed to Federal Court by co-defendant Eaton Hydraulics. Moreover, despite defendant Northrop Grumman's appearance at the June

7th deposition, plaintiff failed to serve defendant Northrop Grumman with either the Removal documentation or its pending application for Remand filed with the Court on or about June 15, 2007 and now returnable on July 6, 2007 (tomorrow).

This office first learned that this matter was removed to Federal Court this afternoon, at which time the undersigned contacted this Court to obtain an extension of time to obtain the removal filings and to have an opportunity to be heard on Defendant Northrop Grumman Systems Corp.'s position with regard to Federal Court of Jurisdiction over this matter.

Accordingly, defendant Northrop Grumman wishes to request an extension of time to respond to the pending remand motion regarding appropriateness of Federal Court Jurisdiction in this matter.

Respectfully submitted,
Gilbert & Gilbert, LLC

____s/____

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ETG/ab

See service list

Northrop may file
papers on or
before 7/23/07. Plaintiff's
SO ORDERED, reply
shall be
filed
w/ETJ 8/3/07.
7/9/07